

INSTRUCTIONS FOR PREPARATION OF INVENTORY AND APPRAISEMENT

1. General Instructions

Accurate information concerning property and debts is very important in divorce cases. Please fill out the attached form as completely as you can, drawing on any source of information to which you have access. Do not enlist your spouse's help unless I specifically permit it. **DO NOT LET ANYONE SEE THIS DOCUMENT. THIS PREPARATION FOR YOUR INVENTORY AND APPRAISEMENT IS A CONFIDENTIAL MATTER BETWEEN YOU AND YOUR ATTORNEY.** Be cautious: you and your spouse are now legal adversaries, and you should verify all information on your own. Especially when it comes to questions of the present value of property, you should make your own independent estimate.

The attached form provides for only a few items under each type of property. If you need to provide additional information, photocopy an extra page or use a separate piece of paper and number the information as it is numbered on the inventory. If you do not know the answer to an item, do not leave it blank; write "I don't know."

This task will not be easy. Do not expect to complete the form at one sitting. Be assured, however, that your effort is necessary and worthwhile.

2. Property Division

In addition to factual data, I need to know your desires about division of the property. Please indicate your desires in the left margin of the form by placing a "W" next to items you want to go to the wife and an "H" next to items you want to go to the husband.

3. Definitions

a. Separate Property

Property acquired by a spouse before marriage and property a spouse acquired individually by gift or inheritance during marriage are considered to be separate property of that spouse. If you or your spouse have any property you think is separate property, complete the sections marked "Separate Estate of Husband" and "Separate Estate of Wife."

b. Community Property

All property that is not separate property is community property.

c. Fair Market Value

A generally accepted definition of fair market value is the price at which the asset would change hands between a willing seller, under no compulsion to sell, and a willing buyer, under no compulsion to buy, with both parties having reasonable knowledge of the relevant facts. Use this value whenever possible. If an asset has no fair market value, state the actual value of the asset to you considering its present condition.

4. Copies of Documents To Be Returned

If an asset has a statement of account, return a copy of the current statement of account with this Preparation for Inventory and Appraisalment. If an asset has a title document (deed, deed of trust, certificate of title to motor vehicle) return a copy with this Preparation for Inventory and Appraisalment.

If an asset has any document that can clearly identify it, return a copy with this Preparation for Inventory and Appraisalment.

Here is a checklist of copies of items you should return with this Preparation for Inventory and Appraisalment:

1. financial institution statements;
2. bank statements;
3. Keogh statements;
4. IRA statements;
5. SEP statements;
6. certificate of deposit statements;
7. company retirement benefits statements of account;
8. life insurance policies and premium notices;
9. broker statements;
10. deeds;
11. deeds of trust;
12. mortgage company payment coupon books (usually one page is enough);
13. certificates of title to motor vehicles;
14. stocks;
15. last statement from each creditor, including credit card statements;
16. any other documents that may lead to the discovery of assets or liabilities.

5. Full Disclosure

Finally, I will rely on this Preparation for Inventory and Appraisement in the case. If you omit any asset, the court could set it aside to your spouse now or at a later date. If you omit a liability, you may be solely responsible for it.